

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
July 20, 2009

PRESENT: TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN; KEITH R. LACASSE, SELECTMAN

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Tony Sawyer, Frank Campana, Chuck Metcalf, Paul Hague, Jon Osborne, Jan Snyder

7:00 p.m. Chairman Clow called the meeting to order.

PUBLIC PARTICIPATION – Mr. Tony Sawyer informed the Board that the representative from Musco lighting will not be able to attend tonight's meeting. This discussion will be put onto a future agenda.

COMMITTEE ITEMS – Mr. Chuck Metcalf, PARC Chairman, told the Board Chase Park was closed over the weekend due to blue green algae. The state re-opened the park today at 3:00 p.m.

Mr. Metcalf is requesting authorization to purchase 12 new picnic tables for Chase Park and told the Board they have been repairing the current tables for years and they are dangerous. The cost would be \$129 per table for a total of \$1,548. Mr. Metcalf informed the Board the State of NH purchased 1,800 picnic tables, the state received 10 bids, PARC had access to the public information and went with the lowest bid. PARC did not go out for bid. There is \$23,500 in the account. They will repair whatever they can of the remaining tables.

Vice Chairman Butt moved, Selectman Lacasse seconded to authorize PARC to purchase 12 picnic tables for a total cost of \$1,548 with the money to come out of the Chase Park Repair and Maintenance Fund. Passed 5-0-0

Mr. Metcalf said PARC is sponsoring 2 more concerts at the gazebo; there is one on Thursday evening.

Mr. Paul Hague, Cable Committee Chairman, is requesting authorization to purchase a new modulator for the Weare Middle School. Mr. Hague said Broadlink has come in to complete the installation of the equipment at the Weare Middle School. Broadlink submitted a quote of \$999.25 to replace the modulator including installation set up. Selectman Donison asked what a modulator is. Mr. Hague said it is what converts the analog signal to a digital signal to allow them to broadcast. It was discussed there is a balance of \$21,000 in the fund.

Selectman Donison moved, Selectman Lacasse seconded to approve \$999.25 be taken out of the Community Access TV Equipment Capital Reserve Fund for the replacement and installation of a modulator at the Weare Middle School. Passed 5-0-0

Chairman Clow told Mr. Hague he still has individuals ask him about the sound on the cable channel. Mr. Hague said people need to speak directly into the microphones. Mr. Hague said this is a problem that has been going on for years. Mr. Hague said a person from Broadlink has looked at all their equipment, their equipment is fine, it is a distribution problem around town and is Comcast's problem. Mr. Hague will contact Comcast.

Mr. Jon Osborne, Chairman of the Board of Fire Wards, he said years ago it was his understanding that surplus equipment had to go out to the State Auction. Mr. Osborne said Asst. Chief Richards spoke with other Fire Departments who would like to swap equipment for equipment they have no use for with items they can use. This would benefit both towns. Chairman Clow said they have had old surplus vehicles in the past that they put out for sealed bids and did not go to State Auction. Mr. Osborne said he spoke with Chief Eaton and they

FINAL

decided that the equipment they have to trade would be minimal return at auction. Vice Chairman Butt would like to get a list of the items for a follow-up. Mr. Osborne said there is a room at the Safety Complex full of equipment they do not have any use for. Mr. Osborne said Chief Richards went to a Chief's meeting last month and that is how the discussion began. Selectman Lacasse feels it is a great idea. Selectman Donison read from the Purchasing Policy dated June 2, 2008 regarding disposal of surplus property valued at over \$100 must be presented by the department head to the BOS, anything valued at less than \$100 may be disposed of by the department head as deemed appropriate with approval by the Town Administrator.

Selectman Lacasse moved, Selectman Donison seconded to allow the Weare Fire Department to trade with other towns for surplus equipment they do not need for equipment they do need on the basis that a written list be submitted to the Board of Selectman. Passed 5-0-0

Mr. Osborne said they are over budget on the intercept lines. Chairman Clow said with that line they don't have much choice. Mr. Osborne said it is budgeted for \$6,000 and they have spent \$8,000.

MANIFESTS

Chairman Clow moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated July 23, 2009. Passed 5-0-0

Accounts payable	\$373,162.53	(John Stark \$350,000)
Gross Payrolls	<u>\$47,488.54</u>	(includes spec detail, taxes, credit union, monthly)
Total	\$420,651.07	

MEETING MINUTES

Chairman Clow moved, Selectman Donison seconded to seal and restrict the minutes of the non public session on June 29, 2009. Passed 5-0-0

The Board would like to put the issue of approving non public minutes on a future agenda.

Chairman Clow moved, Selectmen Osborne seconded to approve the minutes of June 29, 2009 as amended. Passed 5-0-0

Vice Chairman Butt moved, Selectman Osborne seconded to approve the minutes of July 6, 2009 as amended. Passed 3-0-2 Selectman Donison and Selectman Lacasse abstained.

Chairman Clow moved, Selectman Osborne seconded to approve the minutes of July 13, 2009 as amended. Passed 3-0-2 Selectman Donison and Selectman Lacasse abstained.

DISCUSSION OF PRIVATE BUSINESS'S ADVERTISING ON TOWN PROPERTY – Vice Chairman Butt said last week he noticed that commercial businesses have been advertising on town property at the Transfer Station and at the bulletin board in the Town Office Building. There is no ordinance restricting private advertising on town property or Town Office Building but there is a policy that restricts commercial businesses advertising on the Town Hall sign. Vice Chairman Butt is concerned with being consistent if they are going to allow private businesses to advertise on town property. Vice Chairman Butt said the Economic Development Committee said they might like to set up Kiosk at Bolton Field. Selectman Lacasse feels the opposite, feels it is useful to allow private business to advertise. Vice Chairman Butt said if they allow the advertising they can restrict the size of the advertisement or the location. Chairman Clow said they could have areas designated to advertising, and limit size such as, posting business cards. Vice Chairman Butt agrees that if they allow private businesses to advertise they should determine locations. Selectman Lacasse asked what the problem is. Vice Chairman Butt said do they allow it, don't they allow it, and where, it could be a problem. It was discussed they could set aside a section for private advertising on the Town Office bulletin board and restrict to a certain size. The Board discussed having the Town Administrator look into this. Chairman Clow said the Town Hall sign usage is for non-profit use. Selectman Lacasse does not see the problem with a non profit who rents the Town Hall advertising on the sign. Vice Chairman Butt would also like it posted at location that the Town does not approve the use of the companies. This discussion will be put on a future agenda in October.

FINAL

NH MUNICIPAL ASSOCIATION LITIGATION – Chairman Clow said they received a letter from LGC in regards to NH State Retirement reducing their retirement contribution from 35% to 30% as of July 1 of this year and then drop to 25% the following July 1 for teachers, fire fighters and police. This letter is an invitation to join in the litigation to stop the state from doing this. Vice Chairman Butt asked how much this would cost the town. Chairman Clow said this does not affect town employees but will have a big impact on the school and then affect the police department. It will affect taxpayers because of the impact on the school district. The first payment is due mid august and LGC is recommending the Town make the payment. Chairman Clow said there are 2 pieces with the 1st being an increase in employer rates of 65%-70% which they need to pay under protest and demand that the NH Retirement System be prepared to reimburse the town with interest. Chairman Clow said the 2nd piece is a commitment on the part of the town, financial commitment of \$576.78 which is calculated on population. Chairman Clow said they are asking for written commitment and a check for \$576.78. Vice Chairman Butt agrees they should join in the litigation, hates to see that the state is pushing more responsibility on the towns because they don't have enough money, does not agree with the town paying more because the state cannot afford it. Selectman Lacasse agrees to join in the litigation. Chairman Clow said this lack of revenue share from the state comes to play when they set the tax rate. Vice Chairman Butt cannot believe the State Legislators are allowing this to happen. Vice Chairman Butt said the revenue is significant and if it dries up the burden falls on the taxpayers. Chairman Clow said the state has a history of using federal money to balance their budget.

Vice Chairman Butt moved, Selectman Lacasse seconded to join with the NH Municipal Association in Litigation against additional retirement cost being put on the town by the state and contribute \$576.78 towards the litigation. Passed 5-0-0

FEMA GRANT – Chairman Clow said on July 6th they held a public hearing including public testimony on accepting FEMA reimbursement money in the amount of \$22,372.50. This reimbursement is for the final cleanup related to the December 2008 ice storm. Chairman Clow said they held the vote at Selectman Lacasse's request. Selectman Lacasse said Chairman Clow made the case that the State of NH is using Federal money to balance their budget and it is wrong and he feels taking this money from Washington is wrong and taxes young people who are not old enough to vote. Selectman Lacasse said accepting this money from Washington DC is immoral and feels it is taking stolen money. Selectman Lacasse said just because everyone else is taking the money it does not justify them in taking the money; it would be contributing to the problem. Vice Chairman Butt does not agree the money being provided to them from this grant is money they have contributed to through tax money; this money is reimbursing them for money they already spent. Vice Chairman Butt commented on the town having shortfalls in revenue and if this can go back to the taxpayers instead of going back to Washington he thinks they should accept it to offset decreasing revenue coming in from the state. Selectman Donison said he has contributed through his federal taxes towards federal emergencies and he has paid into it. Chairman Clow said this program has existed for years and there is criteria for determining an area a federal emergency and sees this differently than taking money to offset a budget; this has been available to communities and states for many years. Selectman Lacasse said they would use this money to offset takes, its not like they spent extra to do the cleanup, they used town employees and they would have been working. Selectman Lacasse said he realizes they bought a chipper, even though he thinks they should have paid for it out of their budget. Selectman Lacasse said as long as Washington keeps doing what they are doing the money still comes from the same pot and is phony.

Vice Chairman Butt moved, Selectman Donison seconded to accept FEMA money administered from the State of NH in the amount of \$22,372.50 for the December 2008 ice storm. Passed 4-1-0 Selectman Lacasse voted no.

FINAL

MODERATOR RESIGNATION AND APPOINTMENT PROCESS – Chairman Clow said the Board received a letter from Laura Buono indicating she is moving out of Weare in July and must resign immediately as Town Moderator. Chairman Clow said he looked up in the RSA on how to replace a moderator. The appointment must be made by Supervisors of the Checklist or by Board of Selectman if no Supervisors of the Checklist exist. Chairman Clow said they will see they are assigned the task. Vice Chairman Butt said the Moderator makes appointments to the Finance Committee. Chairman Clow will speak with Evelyn Connor.

TAX COLLECTOR POSITION – Chairman Clow said they have received 9 applications and they need a process on how and when to deal with them. There was no deadline set for the closing of applications. Selectman Lacasse said he thinks they should be able to hold phone interviews with 9 applicants. Chairman Clow said they need to set a timeline. The position is part time, 28 hours per week and includes Wednesday evenings until 7:00 p.m. Chairman Clow said they can start the process of reviewing the resumes and see if there is anyone with similar background. Chairman Clow said it would be important to speak with Evelyn Connor. The direct supervisor of this position would be the Town Administrator and at times the Town Clerk depending on the function of the day. Selectman Donison would like the Town Administrator and Town Clerk recommend a candidate to the Board. Chairman Clow said the Town Administrator position is still not finalized. Chairman Clow said the resumes will be available to the Board for screening. The Board set a deadline of July 27, 2009 for the closing of applications for the Tax Collector position. The position needs to be filled as soon as possible.

REQUEST FROM GRANITE STATE TELEPHONE – Chairman Clow said during their open house each year, Granite State Telephone, gives a local hero award. They would like input from the Board of Selectman for a candidate. It was discussed they need to wait to hear the criteria for the individual.

ADMINISTRATIVE REPORT – Chairman Clow said they received a letter from the Piscataquog Land Conservancy (PLC) explaining they are updating their mapping and statistical data for towns within the watershed and are requesting permission to take the Town of Weare data from the Southern New Hampshire Planning Commission. The Board gave Chairman Clow permission to write a letter granting permission for PLC to obtain the data.

Chairman Clow said they received a request for the town to be a conservation partner in a land conservation plan for the Piscataquog River Shed. They are asking the Board for a letter of support, there is no financial obligation. This would include 11 municipalities and other committees and commissions. Vice Chairman Butt would like to have the Conservation Commission review the letter and would like to verify the comfort level with Southern New Hampshire Planning Commission.

Chairman Clow said they received a letter from DOT regarding the sale of land. The piece of land is 0.9 acres and sits behind the sign entering Weare, between Riverdale Road and Rt. 114. The land is being offered to the Town of Weare for purchase for \$54,000. There is no access granted through Rt. 114, there only access is from North Riverdale Road. The Board agreed not to purchase the land.

PUBLIC COMMENT – Mr. Frank Campana said he heard Mr. Osborne speaking about trading items with other towns and he was surprised and taken back that nobody thought to ask the question of what condition the equipment is in that they will receive. He knows the hoses are fabric or canvas and asked if they are going to receive a fire hose that is on its last leg or will it be pre-tested. Mr. Campana said he would have felt better if the question was asked. He doesn't think another town's fire department would unload unsafe/unusable equipment, but the equipment could have a very short life span that the town might need to replace. Chairman Clow said it is his thinking they need to have a level of trust with the individual doing the trading. Mr. Campana said he is not questioning the trust of anyone accepting the equipment but questions how they can be assured of what they are getting.

Ms. Jan Snyder informed the Board that Captain Bob DeStefano passed his Medic License so hopefully that will eliminate some of the need for intercepts that Mr. Osborne mentioned was over budget.

FINAL

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 9:00 p.m. pursuant to the authority granted in RSA 91-A:3II (c & e). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes Passed 5-0-0

Selectman Lacasse moved, Selectman Donison seconded to come out of non public session @ 9:20 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes Passed 5-0-0

Selectman Osborne moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary